

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
 2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
 3 ALCOHOLIC BEVERAGE CONTROL BOARD
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6 IN THE MATTER OF: :

7 Alexander Market, Inc. :

8 t/a Newton Food Mart : Case #15-CMP-01010

9 3600 12th Street :

10 License #94313

11 Retailer Class B :

12 ANC 5B :

13 :

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15 Wednesday, June 8, 2016

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17 Whereupon, the above-referenced matter
 18 came on for hearing at the Alcoholic Beverage
 19 Control Board, Reeves Center, 2000 14th Street,
 20 N.W., Suite 400S, Washington, D.C. 20009.

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2 BOARD MEMBERS PRESENT

3 NICK ALBERTI, BOARD MEMBER

4 RUTHANNE MILLER, BOARD MEMBER

5 JAMES SHORT, BOARD MEMBER

6 MIKE SILVERSTEIN, BOARD MEMBER

7

8 ALSO PRESENT:

9 WALTER ADAMS

10 ALEXANDER ANENIA

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1 P R O C E E D I N G S

2 STATUS

3 CHAIRPERSON ANDERSON: The next case on
4 our calendar is #15-CMP-01010, Newton Food
5 Market, license #94313. Will the parties please
6 appear? And we're also calling case #15-CMP-
7 01011, also Newton Food Market, license #94313,
8 but we'll address the first case, #CMP-01010
9 first. Could you please identify yourself for
10 the record, please?

11 MR. ADAMS: Good morning, Mr. Chairman.
12 Walter Adams representing the District of
13 Columbia.

14 MR. ANENIA: Alexander Anenia.

15 CHAIRPERSON ANDERSON: Good morning, Mr.
16 Anenia. All right, regarding the first case,
17 #15-CMP-01010, are there any preliminary matters
18 in this case?

19 MR. ADAMS: There is, Mr. Chairman.
20 There are the parties have discussed this matter
21 and are willing to resolve it, I believe it's a
22 single charge for no ABC manager being available

1 on the premises. We're willing to -- we want to
2 propose an offer in compromise where the
3 establishment pays a \$300 fine to be paid today -
4 - to be paid today and that's the extent of our
5 offer.

6 CHAIRPERSON ANDERSON: If it's not paid
7 today, what happens?

8 MR. ADAMS: If it's not paid today the license
9 would be suspended until payment is made.

10 CHAIRPERSON ANDERSON: All right, Mr.
11 Anenia?

12 MR. ANENIA: Yes sir.

13 CHAIRPERSON ANDERSON: All right, it's my
14 understanding that there is an offer in
15 compromise that a fine of \$300 and that the fine
16 will be paid today. If it's not paid today, your
17 license will be suspended until the fine is paid.
18 Is this your understanding, sir of the offer in
19 compromise?

20 MR. ANENIA: Yes, sir.

21 CHAIRPERSON ANDERSON: Are you aware that
22 by accepting this offer in compromise you are

1 giving up your rights to a hearing?

2 MR. ANENIA: Yes, sir.

3 CHAIRPERSON ANDERSON: And are you also
4 aware that you are giving up your right to appeal
5 this matter?

6 MR. ANENIA: Yes, sir.

7 CHAIRPERSON ANDERSON: All right. With
8 that said, I then make a motion that the offer in
9 compromise of \$300 payable today be accepted. If
10 it's not accepted the license will be suspended
11 until they are in compliance. Is there a second?

12 MR. SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has
14 seconded the motion. Any discussion? Hearing
15 none, all those in favor say aye. [Chorus of
16 ayes] Those opposed? [No audible response.]
17 The matter passed 5--zero-zero. We'll have you
18 sign something shortly. Regarding case #15-CMP-
19 01011, are there any preliminary matters in this
20 case?

21 MR. ADAMS: Yes, your Honor, there -- I
22 believe that our office has sent some paperwork

1 or memorandum to offer to dismiss. Essentially
2 the issue with this is that there tends to be
3 questions regarding the merits of the case and
4 the ability of us to be able to prove the charge,
5 so as a result, to make it very clear what the
6 district is asking us to do is move to dismiss
7 the charge for that case.

8 CHAIRPERSON ANDERSON: I make a motion
9 that we accept the government's motion to dismiss
10 this matter. Is there a second?

11 MR. SHORT: Second.

12 CHAIRPERSON ANDERSON: Mr. Short has
13 seconded. Those in favor say aye. [Chorus of
14 ayes] Those opposed? [No audible response.]
15 The matter passed 5--zero-zero. Thank you very
16 much.

17 MR. ADAMS: Thank you very much.

18 CHAIRPERSON ANDERSON: Have a great day.

19 MR. ADAMS: Take care.

20 (Whereupon, the above-entitled matter was
21 concluded.)

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